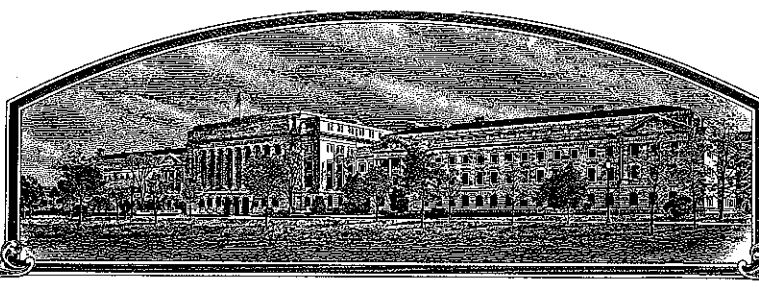


No.

9800373



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Progeny Advanced Genetics, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'DOMINGOS 7/11'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this nineteenth day of September, in the year two thousand and five.

Attest:

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

Secretary of Agriculture



REPRODUCE LOCALLY. Include form number and date on all reproductions.

FORM APPROVED - OMB NO. 0581-00

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

# APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

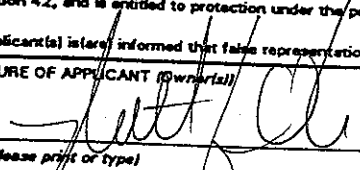
1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) <b>PROGENY ADVANCED GENETICS, INC.</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER <b>PX 565</b>	3. VARIETY NAME <b>DOMINGOS 7/11</b>
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) <b>1536B MOFFETT STREET SALINAS, CALIFORNIA 93905</b>		5. TELEPHONE (include area code) <b>831-751-6030</b>	FOR OFFICIAL USE ONLY PVPO NUMBER <b>9800373</b>
		6. FAX (include area code) <b>831-751-6032</b>	
7. GENUS AND SPECIES NAME <b>LACTUCA SATIVA</b>	8. FAMILY NAME (Botanical) <b>COMPOSITAE</b>		FILING DATE <b>9/11/98</b>
9. CROP KIND NAME (Common name) <b>LETTUCE</b>			PLANTING AND EXAMINATION FEE \$ <b>2450.00</b>
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name) <b>CORPORATION</b>			DATE <b>09/11/1998</b>
11. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>CALIFORNIA</b>			CERTIFICATION FEE \$ <b>682.00</b>
12. DATE OF INCORPORATION <b>DECEMBER 26, 1994</b>			DATE <b>8/15/2005</b>
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS <b>MR. NATHAN K. OLIVAS, PRESIDENT PROGENY ADVANCED GENETICS, INC. 1536B MOFFETT STREET SALINAS, CALIFORNIA 93905</b>			14. TELEPHONE (include area code) <b>831-751-6030</b>
			15. FAX (include area code) <b>831-751-6032</b>
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety			
b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness			
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety			
d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)			
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership			
f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)			
g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)			
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(e) of the Plant Variety Protection Act) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF "no," go to item 20			
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO			
19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED			
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF "yes," give names of countries and dates			
UNITED STATES OF AMERICA SEPTEMBER 16, 1997			
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF APPLICANT (Owner(s)) 		SIGNATURE OF APPLICANT (Owner(s))	
NAME (Please print or type) <b>NATHAN K. OLIVAS</b>		NAME (Please print or type)	
CAPACITY OR TITLE <b>PRESIDENT</b>	DATE <b>SEPTEMBER 10, 1998</b>	CAPACITY OR TITLE	DATE

EXHIBIT A

Origin and Breeding History

Domingos 7/11 is an iceberg lettuce variety developed from a hand pollinated cross of Spector and Raider in 1993 in the San Joaquin Valley. The F1 seed harvested was designated as 9310X55. The two parental varieties were selected based on their compatibility. Spector, selected for its dark Salinas/Vanguard type and texture, while Raider would provide the heat and bolt tolerances necessary for fall plantings in Yuma, Arizona and Huron, California. The cross then produced a dark Salinas/Vanguard type lettuce suitable for planting in the fall slot of Yuma, Arizona and Huron, California.

Approximately 40 plants of the F1 seed (9310X55) were planted in the San Joaquin Valley production for increase in 1994. The plants were rogued, eliminating the self pollinating plants. The F2 seed was harvested in August of 1994.

The F2 seed was designated as 13894 and trialed in both Huron and Yuma in late 1994 and 1995, and then increased in 1995 in the San Joaquin Valley. The F2 seed was rogued on the basis of bolt tolerance and growth habits, and harvested to produce the F3 seed in the fall of 1995.

The F3 seed was designated as PX 565 in late 1995, after evaluation in Yuma and Huron trials. PX 565 was increased in 1996 in the San Joaquin Valley, and rogued for bolt tolerance, intense heading plants with Salinas/Vanguard texture, long wrapper leaves, and good frame size. The F4 seed was harvested in 1996.

The F4 seed was designated as "Domingos 7/11" in 1997 and trialed consistently during the 1996, 1997, and the 1998 growing seasons of Huron California, Yuma Arizona, and the Salinas Valley of California where it exhibited improved size and uniformity. The F4 seed is being increased in 1998 in the San Joaquin Valley. The F5 seed will be harvested by the end of September 1998.

Domingos 7/11 as evaluated in trials and in commercial production has been stable and without variants for two generations.

EXHIBIT A

Origin and Breeding History

1993/94 F1 Seed	1994/95 F2 Seed	1995/96 F3 Seed	1996/97 F4 Seed	1997/98 F4 Seed	1998/99 F5 Seed
Cross Made	Increase 9310X55	Increase 138	Increase PX 565	1997	Increase
Spector X Raider	San Joaquin Valley  ID: 138	San Joaquin Valley  Plant F2: 4/95 Harvest F3: 8/95	San Joaquin Valley	ID: "Domingos 7/11"	Domingos 7/11 San Joaquin Valley
San Joaquin Valley  ID: 9310X55	Plant F1: 4/94 Harvest F2: 8/94	ID: PX 565	Plant F3: 4/96 Harvest F4: 8/96	No 1997 Increase	Plant F4: 4/98 Harvest F5: 9/98
Harvest 8/93	Trialed: Yuma: 2x	Trialed: Yuma: 2x Salinas Valley: 1x Huron: 1x	Trialed: Yuma: 3x Salinas Valley: 2x Huron: 2x	Trialed: Yuma: 4x Salinas Valley: 7x Huron: 2x	
	Stable with no variants	Stable with no variants	Stable with no variants		
Domingos 7/11 Exhibit A diag 9-9-98/DG					



**Exhibit B Revised**  
**Statement of Distinctness**

Domingos 7/11 is a large heading and large framed iceberg lettuce variety adapted to the late fall plantings in the Yuma Arizona production regions, for winter harvest. Domingos 7/11 is a well adapted variety for a more difficult and less predictable growing period, where temperatures can vary tremendously from season to season. Domingos 7/11 is very consistent, and will perform and produce a marketable product under these temperature extremes. The pedigree provides excellent bolting resistance for the warm fluxuations, and the extra size necessary if the season is cool. This variety has a heavily savoyed cap leaf, large core diameter, and smooth ribs. Domingos 7/11 most closely resembles the commercial lettuce varieties Annie and Spector.

Domingos 7/11 is distinct and unique form the variety Spector. Though the varieties have similar adaptability, they differ biologically and in morphology at different stages of maturity. Obvious differences have been cited in comparing the claims made in their respective Exhibit C documentations. The cited differences include:

<b><u>Characteristic</u></b>	<b><u>Domingos 7/11</u></b>	<b><u>Spector</u></b>
Heat Dormancy	Susceptible	Not Susceptible
Shape of 4 <sup>th</sup> Leaf	Elongated	Round
Length/Width X 10	24	18
Apical margin of 4 <sup>th</sup> leaf	Finely dentate	Moderately dentate
Basal margin of 4 <sup>th</sup> leaf	Finely dentate	Coarsely dentate
4 <sup>th</sup> leaf undulation	Flat	Medium
4 <sup>th</sup> leaf rolling	Absent	Present

In comparing Domingos 7/11 to the parental variety Raider, Domingos 7/11 is significantly larger heading, larger framed, and has a larger core diameter. These distinctions are measured quantitatively and validified in 4 repeated trials conducted in Yuma Arizona and the Salinas Valley of California, across two growing seasons. All measured traits have proven to be statistically significant at a minimum 95% confidence level when analyzed with the T-test.

Domingos 7/11 produces a larger head diameter, a larger frame diameter, and a larger core diameter than Raider, as indicated by the 3 measurements to follow.

1. Domingos 7/11 has a larger head diameter than Raider. This measurement is made perpendicular to the core at the widest part of the sliced head. This data is statistically significant in 4 repeated trials, with a minimum confidence level of 99.9%.



2. Domingos 7/11 has a larger core diameter than Raider. This measurement is made across the base of the cut stem of a market trimmed head of lettuce. This data is statistically significant in 4 repeated trials, with a minimum confidence level of 98.5%.
3. Domingos 7/11 has a larger frame diameter than Raider. This measurement is taken at widest points across the frame leaves of the growing plant. This data is statistically significant in 4 repeated trials, with a minimum confidence level of 95.9%.

In addition to the measured characteristics, Domingos 7/11 is more adapted to cold environments than Raider, and is less heat resistant. Domingos 7/11 is planted at least 2 weeks later in the growing season as the day and night time temperature cool tremendously.

Domingos 7/11 is distinct and unique from the variety Annie. Though the varieties have similar adaptability, they differ biologically and in morphology at different stages of maturity. Obvious differences have been cited in comparing the claims made in their respective Exhibit C documentations. The cited differences include:

<b>Characteristic</b>	<b>Domingos 7/11</b>	<b>Annie</b>
Length/Width X 10	24	20
Basal margin of 4 <sup>th</sup> leaf	Finely dentate	Moderately dentate
Color of 4 <sup>th</sup> leaf	Dark	Medium
4 <sup>th</sup> leaf rolling	Absent	Present
Size of mature leaf	Medium	Large
Bolter leaf margin	Dentate	Entire
Bolter habit: Basal side shoots	Absent	Present

Domingos 7/11 most typically rated with a color reading of 5gy 4/6 to 5gy 4/8, when measured using the Munsell Colour Chart for Plant Tissues. See attached data sheets for trial specific readings.

**Exhibit B**  
**Additional Distinguishing Characteristics**

**Domingos 7/11 vs. Spector**

**Seed**

Attribute	Heat Dormancy
Domingos 7/11	Susceptible
Spector	Not Susceptible

**Cotyledon to 4th leaf Stage**

Attribute	4th Leaf Shape	Length/Width X 10	Apical Margin	Basal Margin	Undulation	Rolling
Domingos 7/11	Elongated/Spatulate (4)	24	Finely Dentate	Finely Dentate	Flat	Absent
Spector	Round/Spatulate (3)	18	Moderately Dentate	Coarsely Dentate	Medium	Present

**Mature Leaf Stage**

Attribute	Green Color	Leaf Thickness
Domingos 7/11	Dark	Thick
Spector	Medium	Intermediate

**Bolter Leaf**

Attribute	Margin
Domingos 7/11	Dentate
Spector	Entire

**Bolter Habit**

Attribute	Basal Side Shoots
Domingos 7/11	Absent
Spector	Present

**Exhibit B**  
**Additional Distinguishing Characteristics**

**Domingos 7/11 vs. Annie**

**Cotyledon to 4th leaf Stage**

Attribute	Length/Width X 10	Basal Margin	Green Color	Rolling
Domingos 7/11	24	Finely Dentate	Medium	Absent
Annie	20	Moderately Dentate	Dark	Present

**Mature Leaf Stage**

Attribute	Size
Domingos 7/11	Medium
Annie	Large

**Bolter Leaf**

Attribute	Margin
Domingos 7/11	Dentate
Annie	Entire

**Bolter Habit**

Attribute	Basal Side Shoots
Domingos 7/11	Absent
Annie	Present



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE DIVISION  
OBJECTIVE DESCRIPTION OF VARIETY  
LETTUCE *Lactuca sativa*

EXHIBIT C

NAME OF APPLICANT (S) <b>PROGENY ADVANCED GENETICS, INC.</b> ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) <b>1536B MOFFEIT STREET SALINAS, CALIFORNIA 93905</b>	FOR OFFICIAL USE ONLY PVPO NUMBER <div style="font-size: 1.5em; font-weight: bold;">9800373</div> VARIETY NAME <div style="font-size: 1.2em;">Domingos 7/11</div> EXPERIMENTAL DESIGNATION
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Place numbers in the boxes for the characters which best describe this variety. Measured data should be the mean of an appropriate number (at least 10) of well spaced plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The location of the test area is: **YUMA, ARIZONA      SALINAS VALLEY, CA      HURON, CA**      Color System Used:

1. PLANT TYPE: (See list of suggested check varieties page 4.)

<div style="border: 1px solid black; padding: 2px; font-weight: bold;">06</div>	01=Cutting/Leaf 02=Butterhead 03=Bibb 04=Cos or Romaine	05=Great Lakes Group 06=Vanguard Group 07=Imperial Group 08=Eastern (Ithaca) Group	09=Stem 10=Latin 11=OTHER
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2. SEED:

COLOR <div style="border: 1px solid black; padding: 2px; font-weight: bold;">1</div> 1=White (Silver Gray) 2=Black (Gray Brown) 3=Brown (Amber)	LIGHT DORMANCY <div style="border: 1px solid black; padding: 2px; font-weight: bold;">2</div> 1=Light Required 2=Light Not Required	HEAT DORMANCY <div style="border: 1px solid black; padding: 2px; font-weight: bold;">1</div> 1=Susceptible 2=Not Susceptible
--	---	--

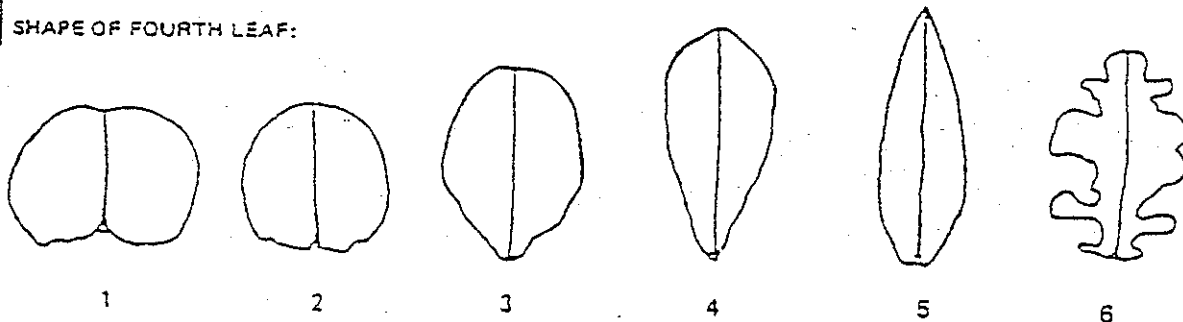
3. COTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions.

2

 SHAPE OF COTYLEDONS:      1=Broad      2=Intermediata      3=Spatulate

4

 SHAPE OF FOURTH LEAF:



24

 LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

<div style="border: 1px solid black; padding: 2px; font-weight: bold;">3</div>	APICAL MARGIN:	1=Entire 2=Crenate/Gnawed 3=Finely Dentate	4=Moderately Dentate 5=Coarsely Dentate 6=Incised	7=Lobed 8=OTHER (specify)
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">3</div>	BASAL MARGIN:			
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">1</div>	UNDULATION:	1=Flat	2=Slight	3=Medium      4=Marked
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">3</div>	GREEN COLOR:	1=Yellow Green 2=Light Green	3=Medium Green 4=Dark Green	5=Blue Green      6=Silver Green      7=Gray Green
	ANTHOCYANIN:			
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">1</div>	DISTRIBUTION:	1=Absent 2=Margin Only	3=Spotted 4=Throughout	5=OTHER (specify)
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">0</div>	CONCENTRATION:	1=Light	2=Moderate	3=Intense
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">1</div>	ROLLING:	1=Absent	2=Present	
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">2</div>	CUPPING:	1=Uncupped	2=Slight	3=Markedly
<div style="border: 1px solid black; padding: 2px; font-weight: bold;">1</div>	REFLEXING:	1=None	2=Apical Margin	3=Lateral Margins

4. MATURE LEAVES (observe harvest-mature outer leaves):

NOTE: Provide color photo of harvest-mature leaves which accurately shows color and margin characteristics.

9800373

MARGIN:

2	INCISION DEPTH: (deepest penetration of the margin)	1=Absent/Shallow (Dark Green Boston)	2=Moderate (Vanguard)	3=Deep (Great Lakes 659)
4	INDENTATION: (finest divisions of the margin)	1=Entire (Dark Green Boston)	3=Deeply Dentate (Great Lakes 659)	5=OTHER (specify)
		2=Shallowly Dentate (Great Lakes 65)	4=Crenate (Vanguard)	
2	UNDULATION OF THE APICAL MARGIN:	1=Absent/Slight (Dark Green Boston)	2=Moderate (Vanguard)	3=Strong (Great Lakes 659)
4	GREEN COLOR:	1=Very Light Green (Bibb)	3=Medium Green (Great Lakes)	5=Very Dark Green
		2=Light Green (Minetto)	4=Dark Green (Vanguard)	6=OTHER
	ANTHOCYANIN (grown at or below 10 C):			
1	DISTRIBUTION:	1=Absent	3=Spotted (Calif. Cream Butter)	5=OTHER (specify)
		2=Margin Only (Big Boston)	4=Throughout (Prize Head)	
0	CONCENTRATION:	1=Light (Iceberg)	2=Moderate (Prize Head)	3=Intense (Ruby)
2	SIZE:	1=Small	2=Medium	3=Large
2	GLOSSINESS:	1=Dull (Vanguard)	2=Moderate (Salinas)	3=Glossy (Great Lakes)
2	BLISTERING:	1=Absent/Slight (Salinas)	2=Moderate (Vanguard)	3=Strong (Prize Head)
3	LEAF THICKNESS:	1=Thin	2=Intermediate	3=Thick
1	TRICHOMES:	1=Absent (smooth)	2=Present (spiny)	

5. PLANT (at market stage. Choose a comparison variety appropriate for this type.):

47	SPREAD OF FRAME LEAVES: cm This Variety	44 cm RAIDER	(specify comparison variety)
16	HEAD DIAMETER (market trimmed with single cap leaf): cm This Variety	14 cm RAIDER	(specify comparison variety)
3	HEAD SHAPE:	1=Flattened 2=Slightly Flattened	3=Spherical 4=Elongate 5=Non-Heading 6=OTHER
2	HEAD SIZE CLASS:	1=Small	2=Medium 3=Large
24	HEAD COUNT PER CARTON		
694	HEAD WEIGHT: g This Variety	721 g RAIDER	(specify comparison variety)
3	HEAD FIRMNESS:	1=Loose 2=Moderate	3=Firm 4=Very Firm

6. BUTT (bottom of market-trimmed head):

3	SHAPE:	1=Slightly Concave	2=Flat	3=Rounded
2	MIDRIB:	1=Flattened (Salinas)	2=Moderately Raised	3=Prominently Raised (Great Lakes 659)

7. CORE (stem of market-trimmed head):

36	mm Diameter at base of head	
44	Ratio of head diameter/core diameter	
34	Core height from base of head to apex: mm This Variety	
32	mm RAIDER	(specify comparison variety)

8. BOLTING (Give First Water Date 4/25/99):

NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

72	Number of days from First Water Date to seed stalk emergence (summer conditions): This Variety	74 RAIDER	(specify comparison variety)
3	BOLTING CLASS:	1=Very Slow 2=Slow	3=Medium 4=Rapid 5=Very Rapid
106	Height of mature seed stalk: cm This Variety	98 cm RAIDER	(specify comparison variety)

Spread of Bolter Plant (at widest point):

☐ 5 ☐ 6 cm This Variety ☐ 5 ☐ 8 cm RAIDER (specify comparison variety)

☐ 2 BOLTER LEAVES: 1=Straight 2=Curved

☐ 2 MARGIN: 1=Entire 2=Dentate

☐ 3 COLOR: 1=Light Green 2=Medium Green 3=Dark Green

BOLTER HABIT:

☐ 2 TERMINAL INFLORESCENCE: 1=Absent 2=Present

☐ 2 LATERAL SHOOTS: (above head) 1=Absent 2=Present

☐ 1 BASAL SIDE SHOOTS: 1=Absent 2=Present

## 9. MATURITY (earliness of harvest-mature head formation):

NOTE: Complete this section for at least one season.

SEASON	Applic. 1/ # of days	Check 2/ # of days	CHECK VARIETY 3/
Spring	<input type="checkbox"/> 7 <input type="checkbox"/> 0	<input type="checkbox"/> 6 <input type="checkbox"/> 7	RAIDER
Summer	<input type="checkbox"/> 6 <input type="checkbox"/> 7	<input type="checkbox"/> 6 <input type="checkbox"/> 8	SPECTOR
Fall	<input type="checkbox"/> 9 <input type="checkbox"/> 0	<input type="checkbox"/> 8 <input type="checkbox"/> 6	ANNIE
Winter	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Give planting date(s), and location(s):

Spring APRIL 2 SALINAS VALLEY, CALIFORNIA

Summer JUNE 13 SALINAS VALLEY, CALIFORNIA

Fall SEPTEMBER 3 HURON, CALIFORNIA SEPTEMBER 20 YUMA, ARIZONA

Winter \_\_\_\_\_

1/ First water date to harvest.

2/ Fill in check variety name on the appropriate line.

## 10. ADAPTATION:

PRIMARY REGIONS OF ADAPTION (tested and proven adapted):

(0=Not tested

1=Not Adapted

2=Adapted)

☐ 2 Southwest (Calif., Ariz. desert) ☐ 2 West Coast ☐ 0 Northeast

☐ 0 Northcentral ☐ 0 Southeast ☐ OTHER \_\_\_\_\_

SEASON:

☐ 2 Spring (area SALINAS VALLEY OF CA) ☐ 2 Fall (area YUMA, AZ, HURON, CA)

☐ 2 Summer (area SALINAS VALLEY OF CA) ☐ 2 Winter (area YUMA, AZ, HURON, CA)

☐ 0 GREENHOUSE: 0=Not tested 1=Not Adapted 2=Adapted

☐ 2 SOIL TYPE: 1=Mineral. 2=Organic 3=Both

## 11. DISEASES AND STRESS REACTIONS (0=Not tested; 1=Susceptible; 2=Intermediate; 3=Resistant; 4=Highly resistant; 5=Tolerant):

VIRUS

- ☐ Big Vein  
☐ Lettuce Mosaic  
☐ Cucumber Mosaic  
☐ Broad Bean Wilt  
☐ Turnip Mosaic  
☐ Beet Western Yellows  
☐ Lett. Infectious Yellows  
☐ Other Virus \_\_\_\_\_

FUNGAL/BACTERIAL

- ☐ Corky Root Rot (Pythium Root Rot)  
☐ Downy Mildew (Races \_\_\_\_\_)  
☐ Powdery Mildew  
☐ Sclerotinia Rot  
☐ Bacterial Soft Rot (Pseudomonas spp. & others)  
☐ Botrytis (Gray Mold)  
☐ OTHER \_\_\_\_\_

INSECTS

- ☐ Cabbage Loopers  
☐ Root Aphids  
☐ Green Peach Aphid  
☐ Other Insect \_\_\_\_\_

PHYSIOLOGICAL/STRESS

- ☐ Tipburn  
☐ Heat  
☐ Drought  
☐ Cold  
☐ Salt  
☐ Brown Rib (Rib Discoloration, Rib Blight)  
☐ OTHER \_\_\_\_\_

POST HARVEST

- ☐ Pink Rib  
☐ Russet Spotting  
☐ Rusty Brown Discoloration  
☐ Internal Rib Necrosis (Blackheart, Gray Rib, Gray Streak)  
☐ Brown Stain

## 12. BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

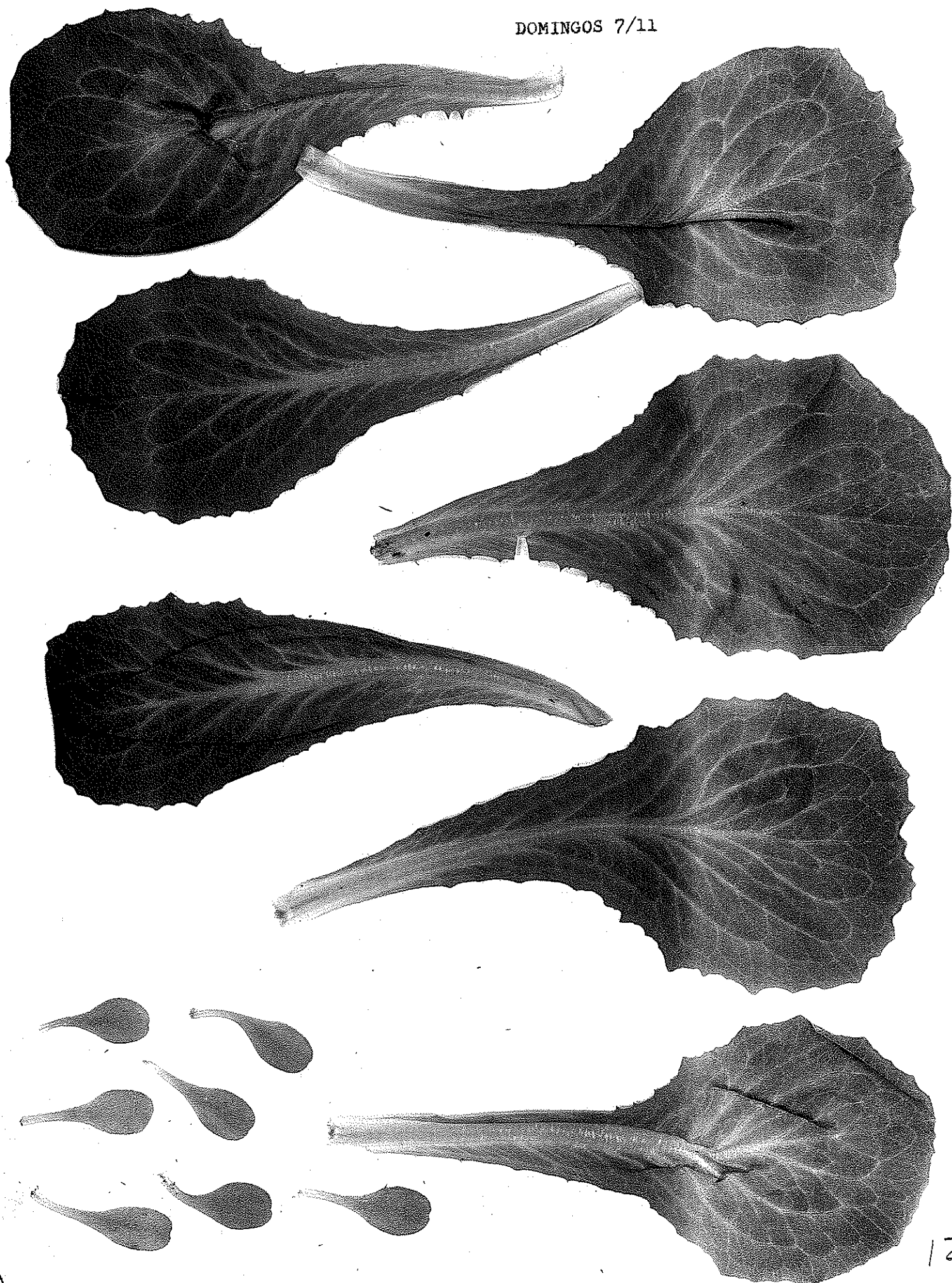
## 13. COMMENTS:

SUGGESTED CHECK VARIETIES

- |     | <u>TYPE</u>       |
|-----|-------------------|
| 1)  | CUTTING/LEAF      |
| 2)  | BUTTERHEAD        |
| 3)  | BIBB              |
| 4)  | COS, OR ROMAINE   |
| 5)  | GREAT LAKES GROUP |
| 6)  | VANGUARD GROUP    |
| 7)  | IMPERIAL GROUP    |
| 8)  | EASTERN GROUP     |
| 9)  | STEM              |
| 10) | LATIN             |

- | <u>CHECK VARIETY</u> |
|----------------------|
| SALAD BOWL           |
| DARK GREEN BOSTON    |
| BIBB                 |
| PARRIS ISLAND        |
| GREAT LAKES 659-700  |
| VANGUARD             |
| VIVA                 |
| ITHACA               |
| CELTUCE              |
| MATCHLESS            |

DOMINGOS 7/11



9800373

DOMINGOS 7/11

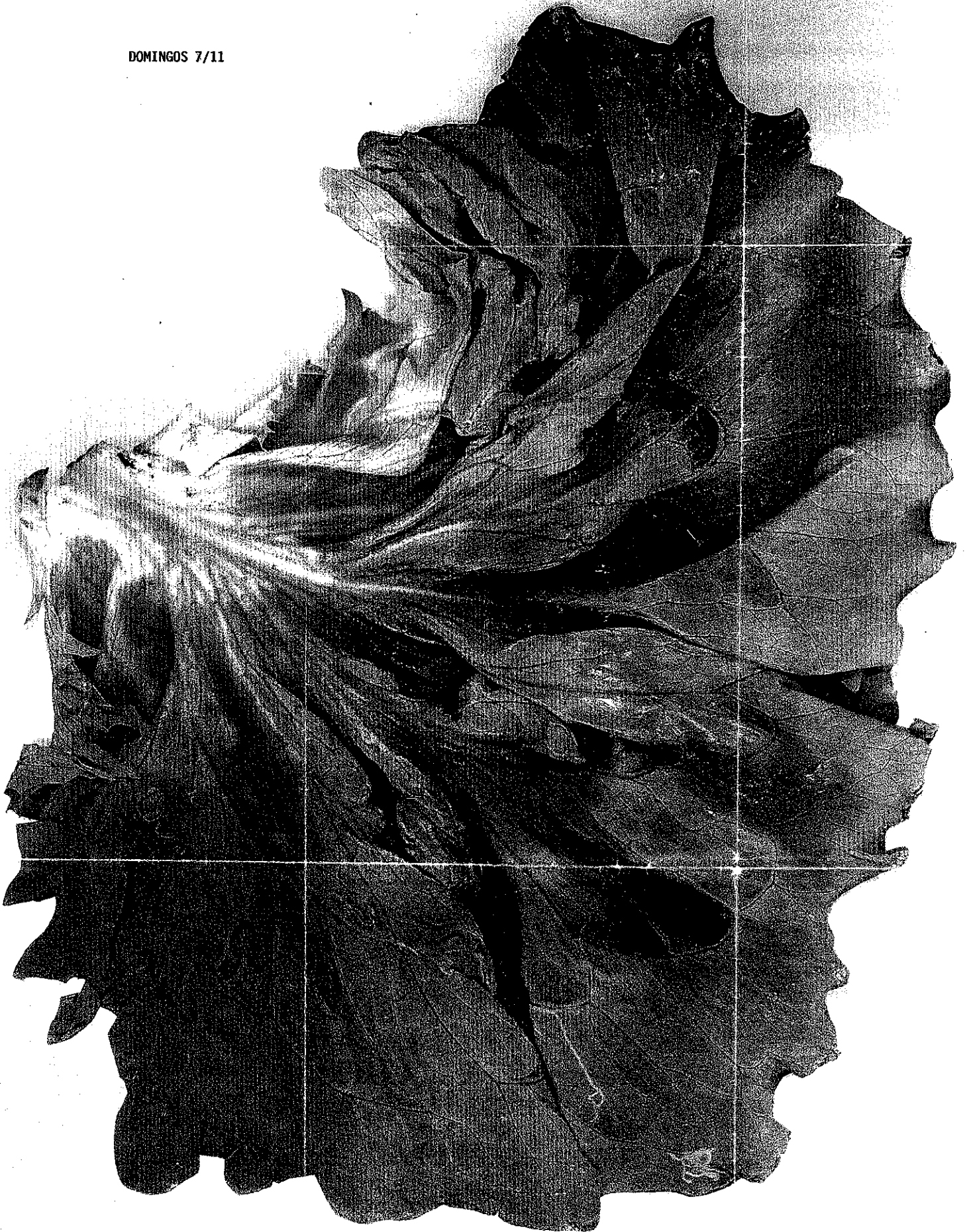


EXHIBIT D

Additional Description of the Variety

Domingos 7/11 is distinct in its size, growth habits, and adaptability as it is a highly heat tolerant Salinas Vanguard type iceberg lettuce. Domingos 7/11 when seen in summer harvests in the Salinas Valley, and in the fall/winter harvests of Yuma, Arizona, is large heading and large framed, with a dark green color while it is most distinguished by its heavy texture and savoyedness.

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) <b>PROGENY ADVANCED GENETICS, INC.</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  <b>PX 565</b>	3. VARIETY NAME  <b>DOMINGOS 7/11</b>
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) <b>1536B MOFFETT STREET SALINAS, CALIFORNIA 93905</b>		5. TELEPHONE (include area code) <b>831-751-6030</b>	6. FAX (include area code) <b>831-751-6032</b>
		7. PVPO NUMBER <b>9800373</b>	
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country _____  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
10. Is the applicant the original breeder? If no, please answer the following:  a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country _____  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  b. If original rights to variety were owned by a company: Is the original breeder(s) U.S. based company? If no, give name of country _____  <input type="checkbox"/> YES <input type="checkbox"/> NO			
11. Additional explanation on ownership (If needed, use reverse for extra space):			

## PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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